

MAY 18, 2017

RULES COMMITTEE PRINT 115–20
TEXT OF H.R. 1973, PROTECTING YOUNG
VICTIMS FROM SEXUAL ABUSE ACT OF 2017.

[Showing the text of H.R. 1973 as ordered reported by the
Committee on Judiciary]

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protecting Young Vic-
3 tims from Sexual Abuse Act of 2017”.

4 **SEC. 2. REQUIRED REPORTING OF CHILD AND SEXUAL**
5 **ABUSE AT FACILITIES UNDER THE JURISDIC-**
6 **TION OF AMATEUR SPORTS ORGANIZATIONS**
7 **RECOGNIZED BY THE UNITED STATES OLYM-**
8 **PIC COMMITTEE.**

9 (a) **REPORTING REQUIREMENT.**—Section 226 of the
10 Victims of Child Abuse Act of 1990 (42 U.S.C. 13031)
11 is amended—

12 (1) in subsection (a)—

13 (A) by striking “A person who” and insert-
14 ing the following:

15 “(1) **COVERED PROFESSIONALS.**—A person
16 who”; and

17 (B) by adding at the end the following:

1 “(2) COVERED INDIVIDUALS.—A covered indi-
2 vidual who learns of facts that give reason to suspect
3 that a child has suffered an incident of child abuse
4 shall as soon as possible make a report of the sus-
5 pected abuse to the agency designated by the Attor-
6 ney General under subsection (d).”;

7 (2) in subsection (b), in the matter preceding
8 paragraph (1), by striking “subsection (a)” and in-
9 serting “subsection (a)(1)”;

10 (3) in subsection (c)—

11 (A) in paragraph (7), by striking “and” at
12 the end;

13 (B) in paragraph (8), by striking the pe-
14 riod at the end and inserting a semicolon; and

15 (C) by adding at the end the following:

16 “(9) the term ‘covered facility’ means a facility
17 over which a national governing body has jurisdic-
18 tion;

19 “(10) the term ‘covered individual’ means an
20 adult who is authorized by a covered facility or by
21 a national governing body to interact with a minor
22 or amateur athlete at the covered facility or at any
23 event sanctioned by the covered facility; and

1 “(11) the term ‘national governing body’ has
2 the meaning given the term in section 220501(b) of
3 title 36, United States Code.”;

4 (4) in subsection (d), in the first sentence, by
5 inserting “and for all covered facilities” after “re-
6 side”;

7 (5) in subsection (f), in the first sentence—

8 (A) by striking “and on all” and inserting
9 “on all”; and

10 (B) by inserting “and for all covered facili-
11 ties,” after “lands,”;

12 (6) in subsection (h), by inserting “and all cov-
13 ered individuals,” after “facilities,”; and

14 (7) by adding at the end the following:

15 “(i) **RULE OF CONSTRUCTION.**—Nothing in this sec-
16 tion shall be construed to require a victim of child abuse
17 to self-report the abuse.”.

18 (b) **PENALTY FOR FAILURE TO REPORT.**—Section
19 2258 of title 18, United States Code, is amended by in-
20 serting after “facility,” the following: “or a covered indi-
21 vidual (as described in subsection (a)(2) of such section
22 226) who”.

23 **SEC. 3. CIVIL REMEDY FOR PERSONAL INJURIES.**

24 Section 2255 of title 18, United States Code, is
25 amended—

1 (1) by striking subsection (a) and inserting the
2 following:

3 “(a) IN GENERAL.—Any person who, while a minor,
4 was a victim of a violation of section 1589, 1590, 1591,
5 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260,
6 2421, 2422, or 2423 of this title and who suffers personal
7 injury as a result of such violation, regardless of whether
8 the injury occurred while such person was a minor, may
9 sue in any appropriate United States District Court and
10 shall recover the actual damages such person sustains or
11 liquidated damages in the amount of \$150,000, and the
12 cost of the action, including reasonable attorney’s fees and
13 other litigation costs reasonably incurred. The court may
14 also award punitive damages and such other preliminary
15 and equitable relief as the court determines to be appro-
16 priate.”;

17 (2) in subsection (b), by striking “filed within”
18 and all that follows through the end and inserting
19 the following: “file—

20 “(1) not later than 10 years after the date on
21 which the plaintiff reasonably discovers the later
22 of—

23 “(A) the violation that forms the basis for
24 the claim; or

1 “(B) the injury that forms the basis for
2 the claim; or

3 “(2) not later than 10 years after the date on
4 which a legal disability ends.”; and

5 (3) by adding at the end the following:

6 “(c) VENUE; SERVICE OF PROCESS.—

7 “(1) VENUE.—Any action brought under sub-
8 section (a) may be brought in the district court of
9 the United States that meets applicable require-
10 ments relating to venue under section 1391 of title
11 28.

12 “(2) SERVICE OF PROCESS.—In an action
13 brought under subsection (a), process may be served
14 in any district in which the defendant—

15 “(A) is an inhabitant; or

16 “(B) may be found.”.

17 **SEC. 4. EXPANSION OF AUTHORITIES AND DUTIES OF AMA-**
18 **TEUR SPORTS ORGANIZATIONS RECOGNIZED**
19 **BY THE UNITED STATES OLYMPIC COM-**
20 **MITTEE TO PREVENT THE ABUSE OF MINOR**
21 **AND AMATEUR ATHLETES.**

22 (a) EXPANSION OF AUTHORITIES.—Section
23 220523(a) of title 36, United States Code, is amended—

24 (1) in paragraph (6), by striking “; and” and
25 inserting a semicolon;

1 (2) in paragraph (7), by striking the period and
2 inserting “; and”; and

3 (3) by adding at the end the following:

4 “(8) develop training, oversight practices, poli-
5 cies, and procedures to prevent the abuse, including
6 physical abuse and sexual abuse, of any minor or
7 amateur athlete by any adult.”.

8 (b) ADDITIONAL DUTIES.—Section 220524 of such
9 title is amended—

10 (1) by inserting “(a) IN GENERAL.—” before
11 “For the sport”;

12 (2) in paragraph (8), by striking “; and” and
13 inserting a semicolon;

14 (3) in paragraph (9), by striking the period and
15 inserting a semicolon; and

16 (4) by adding at the end the following:

17 “(10) develop and enforce policies, mechanisms,
18 and procedures to prevent the abuse, including phys-
19 ical abuse and sexual abuse, of any minor or ama-
20 teur athlete, including—

21 “(A) requiring all adults authorized by a
22 national governing body or a member of a na-
23 tional governing body to interact with a minor
24 or amateur athlete at an amateur sports organi-
25 zation facility or at any event sanctioned by a

1 national governing body or a member of a na-
2 tional governing body, to report facts that give
3 reason to suspect child abuse, including sexual
4 abuse, as required by relevant Federal or State
5 law, to law enforcement authorities and other
6 appropriate authorities, including an entity des-
7 igned by the corporation to investigate and
8 resolve such allegations;

9 “(B) establishing a mechanism, approved
10 by a trained expert on child abuse, that allows
11 an individual to easily report an incident of
12 child abuse as described in subparagraph (A) to
13 the national governing body or another author-
14 ity, including an entity designated by the cor-
15 poration;

16 “(C) procedures to ensure that covered in-
17 dividuals are instructed to avoid one-on-one sit-
18 uations with any amateur athlete who is a
19 minor (other than such an athlete for whom the
20 covered individual is a legal guardian) at an
21 amateur sports organization facility, at any
22 event sanctioned by a national governing body,
23 or any event sanctioned by a member of a na-
24 tional governing body, without being observable
25 or interruptible by another adult; and

1 “(D) oversight procedures, including reg-
2 ular and random audits, not to exceed once a
3 year, conducted by subject matter experts unaf-
4 filiated with the national governing body, of all
5 members and adults described in subparagraph
6 (A) to ensure that policies and procedures de-
7 veloped under this paragraph are followed cor-
8 rectly and that consistent training is offered
9 and given to all members regarding prevention
10 of sexual abuse; and

11 “(11) in the case of a national governing body
12 with jurisdiction over more than one amateur sports
13 organization facility or event, establish a mechanism
14 by which—

15 “(A) the national governing body can—

16 “(i) receive a report of suspected sex-
17 ual misconduct by an adult authorized by
18 a national governing body or a member of
19 a national governing body to interact with
20 a minor or amateur athlete at an amateur
21 sports organization facility or at any event
22 sanctioned by a national governing body or
23 a member of a national governing body;
24 and

1 “(ii) confidentially share a report re-
2 ceived under clause (i) with each of the
3 other amateur sports organizations, facili-
4 ties, or members under the jurisdiction of
5 the national governing body; and

6 “(B) an amateur sports organization, facil-
7 ity, or member under the jurisdiction of the na-
8 tional governing body can—

9 “(i) review the reports received by the
10 national governing body under subpara-
11 graph (A)(i) to assess any allegations of
12 sexual misconduct made in such reports;
13 and

14 “(ii) withhold providing to an adult
15 who is the subject of an allegation of sex-
16 ual misconduct in a report reviewed under
17 clause (i) authority to interact with a
18 minor or amateur athlete at such organiza-
19 tion, facility, or event until the resolution
20 of such allegation.

21 “(b) LIMITED LIABILITY FOR THE UNITED STATES
22 OLYMPIC COMMITTEE, NATIONAL GOVERNING BODIES,
23 AND AN ENTITY DESIGNATED BY THE UNITED STATES
24 OLYMPIC COMMITTEE TO INVESTIGATE AND RESOLVE
25 SEXUAL MISCONDUCT ALLEGATIONS.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graphs (2), no civil or criminal action may be
3 brought in any Federal or State court against the
4 United States Olympic Committee, a national gov-
5 erning body, or an amateur sports organization, fa-
6 cility, or event under the jurisdiction of a national
7 governing body, or an entity designated by the
8 United States Olympic Committee to investigate and
9 resolve sexual misconduct allegations described in
10 subsection (a)(11), including any director, officer,
11 employee, or agent of such entity, if the action arises
12 from the execution of the responsibilities or func-
13 tions described in subsection (a)(11).

14 “(2) INTENTIONAL, RECKLESS, OR OTHER MIS-
15 CONDUCT.—Paragraph (1) shall not apply to a civil
16 or criminal action if the United States Olympic
17 Committee, a national governing body, an amateur
18 sports organization, facility, or event under the ju-
19 risdiction of a national governing body, or an entity
20 designated by the United States Olympic Committee
21 to investigate and resolve sexual misconduct allega-
22 tions described in subsection (a)(11), or a director,
23 officer, employee, or agent of such entity acted or
24 failed to act—

1 “(A) with reckless disregard for a risk of
2 causing injury; or

3 “(B) for a purpose unrelated to the per-
4 formance of any responsibility or function de-
5 scribed in subsection (a)(11).

6 “(3) LIMITED EFFECT.—Nothing in this section
7 shall apply to any act or omission arising out of any
8 responsibility or function not described in subsection
9 (a)(11).”.

10 (c) RULE OF CONSTRUCTION.—Section 220522 of
11 such title is amended by adding at the end the following:

12 “(c) RULE OF CONSTRUCTION.—Nothing in sub-
13 section (a) shall be construed to limit the ability of a na-
14 tional governing body to develop a policy or procedure to
15 prevent an individual who is the subject of an allegation
16 of sexual misconduct from interacting with a minor or
17 amateur athlete until such time as the national governing
18 body, or an entity with applicable jurisdiction resolves
19 such allegation.”.

20 (d) REVIEW OF RECOGNITION OF AMATEUR SPORTS
21 ORGANIZATIONS AS NATIONAL GOVERNING BODIES.—
22 Section 220521(d) of title 36, United States Code, is
23 amended by striking “may” each place it appears and in-
24 serting “shall”.

